IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

CIVIL APPLICATION NO.2153 OF 2004

IN

FIRST APPEAL STAMP NO.15611 OF 2004

M/s.M.D.Electricals
Proprietor Maruti D. Patil : Applicant

versus

The Sangli Bank Ltd. & ors. : Respondents.

Mr.Walimbe i/by Ranjit More for the applicant.
Mr.P.G.Chavan i/by S.S.Patwardhan for respondents.

CORAM : D.G.DESHPANDE,J.

DATED : 14th October 2005.

ORAL ORDER

1. Heard advocate for the applicant and respondent. This is an application for condonation of delay of 231 days. Decree came to be passed exparte as no written statement could

be filed or was filed by the applicant/defendant. He came to know about the decree on 12.4.2004. He was admitted in hospital from 18.7.2003 to 30.4.2004 because he was suffering from lumber spondylosis during that period. This is the reason given by the applicant for delay. This is a money decree of Rs.Two lakhs. Application is strongly opposed by the Bank. However, looking to the facts and circumstance, the application is allowed and the delay is condoned subject to payment of costs of Rs.1500/-. Costs to be paid within four weeks from today. Payment of costs is a condition precedent. Civil application is disposed of. Put up the appeal for admission after vacation.

[D.G.DESHPANDE]